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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,025	01/10/2001	Joshua Dov Joseph Sharfman	786515600036	8119

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Greg Pulier
Chief Technology Officer
Interactive Video Technologies, Inc.
13160 Mindanao Way, Suite 215
Marina del Rey, CA 90292

EXAMINER
DUONG, THOMAS

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 April 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22 and 56_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22 and 56_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _27 April 2005_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the applicants Amendment filed on April 27, 2005.

Applicant amended *claims 1, 4, 8-9, 11-12, 15-16, and 56. Claims 1-22 and 56* are

presented for further consideration and examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

3.   <u>Claims 1-14 and 56</u> are rejected under 35 U.S.C. 103(a) as being anticipated by Travis

et al. (US005422999A), in view of Wong et al. (US006216152B1), and further in view of

Vega-Garcia et al. (US006839734B1).

4.   With regard to <u>claim 1</u>, Travis discloses,

-   *receiving a set of digital assets (digital data, information object, contents of an*

    entire file) that are packaged together (transport object); (Travis, col.2, lines 10-

    11, lines 21-24, lines 32-35; col.8, lines 41-46; module 120, fig.3B-1)

    Travis discloses a method for receiving a transport object which may consists of

    other objects or digital data and unpackaging the received transport object to

    retrieve the individual embedded objects or digital data.

- *unpackaging the digital assets to define at least two discrete assets;* (Travis, col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and 130-131, fig.3B-1)

  Travis discloses a method for receiving a transport object which may consists of other objects or digital data and unpackaging the received transport object to retrieve the individual embedded objects or digital data.

However, Travis does not explicitly disclose,

- *for each digital asset, determining a digital asset type;*

- *determining a destination for each digital asset based on the asset type; and*

- *distributing the digital assets to the appropriate destinations.*

Wong teaches,

- *for each digital asset, determining a digital asset type;* (Wong, col.2, lines 31-32; col.7, lines 5-14; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

- *determining a destination for each digital asset based on the asset type; and* (Wong, col.2, lines 31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. According to Wong, the "*decoder (codec) 304 transform the compressed and/or encoded media data 303 into raw (decompressed and unencoded) media data 305 for use by the renderer*

306, ... [which] processes the raw media data into media output 307 for display or presentation on an output device 308, such as a monitor for graphics or a speaker for audio" (Wong, col.5, lines 59-65). Hence, Wong implies of the distributing of the media to their appropriate output destinations based on the type or format of the media.

- *distributing the digital assets to the appropriate destinations.* (Wong, col.2, lines 31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4) Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. According to Wong, the *"decoder (codec) 304 transform the compressed and/or encoded media data 303 into raw (decompressed and unencoded) media data 305 for use by the renderer 306, ... [which] processes the raw media data into media output 307 for display or presentation on an output device 308, such as a monitor for graphics or a speaker for audio"* (Wong, col.5, lines 59-65). Hence, Wong implies of the distributing of the media to their appropriate output destinations based on the type or format of the media.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Wong with the teachings of Travis to meet the *"growing interest in the media distribution of the Internet and the World Wide Web [which] has resulted in the development of a variety of multimedia data compression and encoding formats or media types for efficient transport of audio, video and other forms of media"* (Wong, col.1, lines 17-22). Furthermore, the resulting invention would *"provide a new and improved data transport system for*

transferring data in a digital data processing system" (Travis, col.1, lines 31-33) for a

variety of multimedia data formats.

5.   With regard to *claims 2-3 and 6*, Travis and Wong,

- *wherein receiving the set of digital assets comprises receiving the digital assets*

  packaged as a single file. (Travis, col.2, lines 10-11, lines 21-24, lines 32-35;

  col.8, lines 41-46; module 120, fig.3B-1)

  Travis discloses a method for receiving a transport object which may consists of

  other objects or digital data and unpackaging the received transport object to

  retrieve the individual embedded objects or digital data.

- *wherein receiving the digital assets comprises receiving the digital assets over a*

  computer network. (Travis, col.1, lines 13-20; col.2, lines 10-11, lines 21-24, lines

  32-35; col.8, lines 41-46; fig.1; module 120, fig.3B-1)

  Travis discloses a method for receiving a transport object which may consists of

  other objects or digital data and unpackaging the received transport object to

  retrieve the individual embedded objects or digital data.

6.   With regard to *claims 4-5*, Travis and Wong,

- *wherein receiving the digital assets comprises receiving at least graphical images*

  and continuous stream media clips that are packaged together. (Wong, col.1,

  lines 19-22, lines 45-48; col.3, lines 37-46)

  Wong discloses a method of determining the type of each of the object (i.e. file or

  media) and the associated destination of each object. In other words, Wong

teaches of determining the type of the media and the associated application to present the media to the user.

- *wherein receiving the digital assets comprises receiving one or more of graphical images, continuous stream media clips, clips of animation, telemetry clips, and video files.* (Wong, col.1, lines 19-22, lines 45-48; col.3, lines 37-46) Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

7.   With regard to *claims 7-8 and 14*, Travis and Wong disclose,

- *wherein unpackaging the digital assets comprises processing the package to separate the digital assets into individual files.* (Travis, col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and 130-131, fig.3B-1) Travis discloses a method for receiving a transport object which may consists of other objects or digital data and unpackaging the received transport object to retrieve the individual embedded objects or digital data.

- *wherein processing the package comprises:* (Travis, col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and 130-131, fig.3B-1) Travis discloses a method for receiving a transport object which may consists of other objects or digital data and unpackaging the received transport object to retrieve the individual embedded objects or digital data.

  - *receiving the packaged digital assets, wherein the packaged digital assets include executable code and a plurality of blocks of compressed data;*

- *identifying a first one of the blocks;*

- *processing identification information contained in the block to determine the contents of the block; and*

- *decompressing the data in the block if the block is a compressed file block.*

  (Wong, col.1, lines 19-22, lines 45-48; col.3, lines 37-46)

8.   With regard to *claims 9-10*, Travis and Wong disclose,

- *wherein determining the type of digital asset comprises determining the file type for each digital asset.* (Wong, col.2, lines 31-32; col.7, lines 5-14; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

9.   With regard to *claims 11-13*, Travis and Wong disclose,

- *wherein determining the destination comprises determining an appropriate server for the digital asset based on the type of digital asset.* (Wong, col.2, lines 31-32; col.7, lines 5-14, lines 22-28; module 400, fig.4; Travis, col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and 130-131, fig.3B-1)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user. Travis discloses a method for receiving a

transport object which may consists of other objects or digital data and

unpackaging the received transport object to retrieve the individual embedded

objects or digital data. Travis teaches of separating the initial object into

individual files and these files can be saved into the appropriate locations.

10.   With regard to *claim 56*, Travis discloses,

- *receiving a set of digital assets (digital data, information object, contents of an*

   entire file) that are packaged together (transport object); (Travis, col.2, lines 10-

   11, lines 21-24, lines 32-35; col.8, lines 41-46; module 120, fig.3B-1)

   Travis discloses a method for receiving a transport object which may consists of

   other objects or digital data and unpackaging the received transport object to

   retrieve the individual embedded objects or digital data.

- *unpackaging the digital assets to define at least two discrete digital assets;*

   (Travis, col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and

   130-131, fig.3B-1)

   Travis discloses a method for receiving a transport object which may consists of

   other objects or digital data and unpackaging the received transport object to

   retrieve the individual embedded objects or digital data.

   However, Travis does not explicitly disclose,

- *wherein a server is operative to unpackage the digital assets, determine the file*

   types of the respective digital assets, and to distribute the digital assets to the

   appropriate servers based on the determined files types;

- *for each digital asset, determining a digital asset type;*

- *determining a destination for each digital asset based on the digital asset type; and*

- *distributing the digital assets to the appropriate destinations.*

Wong teaches,

- *wherein a server is operative to unpackage the digital assets, determine the file types of the respective digital assets, and to distribute the digital assets to the appropriate servers based on the determined files types;* (Wong, col.2, lines 31-32; col.7, lines 5-14; module 400, fig.4)

Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

- *for each digital asset, determining a digital asset type;* (Wong, col.2, lines 31-32; col.7, lines 5-14; module 400, fig.4)

Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

- *determining a destination for each digital asset based on the digital asset type; and* (Wong, col.2, lines 31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4)

Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. According to Wong, the *"decoder (codec) 304 transform the compressed and/or encoded media data 303*

into raw (decompressed and unencoded) media data 305 for use by the renderer

306, ... [which] processes the raw media data into media output 307 for display

or presentation on an output device 308, such as a monitor for graphics or a

speaker for audio" (Wong, col.5, lines 59-65). Hence, Wong implies of the

distributing of the media to their appropriate output destinations based on the

type or format of the media.

- *distributing the digital assets to the appropriate destinations.* (Wong, col.2, lines

  31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or

  media) and the associated destination of each object. According to Wong, the

  "decoder (codec) 304 transform the compressed and/or encoded media data 303

  into raw (decompressed and unencoded) media data 305 for use by the renderer

  306, ... [which] processes the raw media data into media output 307 for display

  or presentation on an output device 308, such as a monitor for graphics or a

  speaker for audio" (Wong, col.5, lines 59-65). Hence, Wong implies of the

  distributing of the media to their appropriate output destinations based on the

  type or format of the media.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Wong with the teachings of

Travis to meet the *"growing interest in the media distribution of the Internet and the*

World Wide Web [which] has resulted in the development of a variety of multimedia

data compression and encoding formats or media types for efficient transport of

audio, video and other forms of media" (Wong, col.1, lines 17-22). Furthermore, the

resulting invention would *"provide a new and improved data transport system for*

transferring data in a digital data processing system" (Travis, col.1, lines 31-33) for a

variety of multimedia data formats.

11.   *Claims 15-22* are rejected under 35 U.S.C. 103(a) as being anticipated by Travis et al.

(US005422999A), in view of Wong et al. (US006216152B1), and further in view of Liu

(US005953005A).

12.   With regard to *claims 15-22*, Travis and Wong disclose,

See *claim 1* rejection as detailed above.

However, Travis and Wong do not explicitly disclose,

- *notifying one or more recipients regarding the set of digital assets;*

- *receiving a request for the set of digital assets from one of the recipients; and*

- *presenting the set of digital assets to the recipient.*

Liu teaches,

- *notifying one or more recipients regarding the set of digital assets;* (Liu, col.2,

   lines 17-60; col.5, lines 18-31; fig.5)

   Liu discloses a method and system to deliver and present multimedia content to

   a user upon a user request. Liu, furthers, discloses of authenticating the user

   before responding to the user's request with the requested multimedia.

- *receiving a request for the set of digital assets from one of the recipients; and*

   (Liu, col.2, lines 17-60; col.5, lines 18-31; fig.5)

   Liu discloses a method and system to deliver and present multimedia content to

   a user upon a user request. Liu, furthers, discloses of authenticating the user

   before responding to the user's request with the requested multimedia.

- *presenting the set of digital assets to the recipient.* (Liu, col.2, lines 17-60; col.5,

  lines 18-31; fig.5)

  Liu discloses a method and system to deliver and present multimedia content to

  a user upon a user request. Liu, furthers, discloses of authenticating the user

  before responding to the user's request with the requested multimedia.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention was made to combine the teachings of Liu with the teachings of Wong

and Travis because *"it would be beneficial to both commercial and home users for*

the distribution of... multimedia content to be provided on-line by an Internet-type

distribution system" (Liu, col.2, lines 11-14). Furthermore, it is advantageous for

vendors to provide multimedia content data, which is readily accessible by

consumers depending upon bandwidth capability of the transmission (Liu, col.1, lines

45-50).

Response to Arguments

13.   Applicant's arguments with respect to *claims 1 and 56* have been considered but they

are not persuasive.

14.   With regard to <u>*claims 1 and 56*</u>, the Applicants point out that:

- *For example, assignee disagrees with the office action assertion that the Wong*

  reference teaches at the following locations in Wong that a destination is

  determined for each asset based on the asset type and that the assets are

  distributed to the appropriate destinations: col. 2, lines 31-32; col. 7, lines 5-14

  and lines 22-28; module 400, figure 4. Wong at col. 2, lines 31-32 <u>does not</u>

> *disclose distributing a digital asset to a destination, but instead discloses how to*
>
> *properly load a class within a virtual machine. Still further Wong at col. 7, lines 5-.*
>
> *14 (which discusses module 400, figure 4) and col. 7, lines 22-28 do not disclose*
>
> *distributing a digital asset to a destination, but instead only provides additional*
>
> *details about how to load a class within a virtual machine. Accordingly, the Wong*
>
> *reference whether considered alone or in combination with Travis does not teach*
>
> *or suggest the limitations of claim 1 , and thus claim 1 and its dependent claims*
>
> *are allowable.*

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that Travis and Wong disclose,

- *receiving a set of digital assets (digital data, information object, contents of an*

  entire file) that are packaged together (transport object); (Travis, col.2, lines 10-

  11, lines 21-24, lines 32-35; col.8, lines 41-46; module 120, fig.3B-1)

  Travis discloses a method for receiving a transport object which may consists of

  other objects or digital data and unpackaging the received transport object to

  retrieve the individual embedded objects or digital data.

- *unpackaging the digital assets to define at least two discrete assets;* (Travis,

  col.8, lines 47-52; col.9, lines 1-19, lines 26-43; modules 121-125 and 130-131,

  fig.3B-1)

  Travis discloses a method for receiving a transport object which may consists of

  other objects or digital data and unpackaging the received transport object to

  retrieve the individual embedded objects or digital data.

However, Travis does not explicitly disclose,

- *for each digital asset, determining a digital asset type;*

- *determining a destination for each digital asset based on the asset type; and*

- *distributing the digital assets to the appropriate destinations.*

Wong teaches,

- *for each digital asset, determining a digital asset type;* (Wong, col.2, lines 31-32; col.7, lines 5-14; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. In other words, Wong teaches of determining the type of the media and the associated application to present the media to the user.

- *determining a destination for each digital asset based on the asset type; and* (Wong, col.2, lines 31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4)

  Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. According to Wong, the *"decoder (codec) 304 transform the compressed and/or encoded media data 303 into raw (decompressed and unencoded) media data 305 for use by the renderer 306, ... [which] processes the raw media data into media output 307 for display or presentation on an output device 308, such as a monitor for graphics or a speaker for audio"* (Wong, col.5, lines 59-65). Hence, Wong implies of the distributing of the media to their appropriate output destinations based on the type or format of the media.

- *distributing the digital assets to the appropriate destinations.* (Wong, col.2, lines 31-32; col.5, lines 47-65; col.7, lines 5-14, lines 22-28; module 400, fig.4)

Wong discloses a method of determining the type of each of the object (i.e. file or media) and the associated destination of each object. According to Wong, the *"decoder (codec) 304 transform the compressed and/or encoded media data 303 into raw (decompressed and unencoded) media data 305 for use by the renderer 306, ... [which] processes the raw media data into media output 307 for display or presentation on an output device 308, such as a monitor for graphics or a speaker for audio"* (Wong, col.5, lines 59-65). Hence, Wong implies of the distributing of the media to their appropriate output destinations based on the type or format of the media.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Wong with the teachings of Travis to meet the *"growing interest in the media distribution of the Internet and the World Wide Web [which] has resulted in the development of a variety of multimedia data compression and encoding formats or media types for efficient transport of audio, video and other forms of media"* (Wong, col.1, lines 17-22). Furthermore, the resulting invention would *"provide a new and improved data transport system for transferring data in a digital data processing system"* (Travis, col.1, lines 31-33) for a variety of multimedia data formats.

Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.
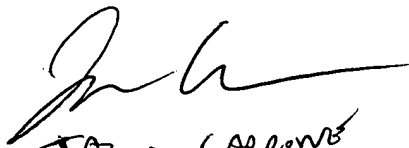
Conclusion

15.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

16.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-

Wallace can be reached on 571/272-6159. The fax phone numbers for the organization

where this application or proceeding is assigned are 703/872-9306 for regular

communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

July 22, 2005